

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
CIVIL DIVISION

MARIA E. ZANDBERGEN,

Plaintiff,

vs.

SALLY A. ONSLOW, RICARDO V.
BALENBIN SR., RONALD E. ONSLOW,
SANDRA D. SCHILL

Defendants.

Case No. 3:23-cv-05190-RAJ

**JOINT STATUS REPORT &
DISCOVERY PLAN**

Pursuant to FRCP 26(f), LCR 26, and this Court's May 23, 2023 Order, Plaintiff Maria Zandbergen ("Plaintiff") and Defendants Sally Onslow, Ricardo Balenbin, Jr., Ronald Onslow, and Sandra Schill (collectively "Defendants") file this Joint Status Report and Discovery Plan:

1. Statement of Nature and Complexity of the Case.

Defendant Sally Onslow and Ronald Onslow, Plaintiff's grandparents, were appointed Plaintiff's legal guardians after her father murdered her mother in 1987. Sally Onslow subsequently married Richard Balenbin, Jr. and Ronald Onslow subsequently married Sandra Schill. Plaintiff seeks damages for personal injuries against Defendants based upon claims of negligence for (1) failure to provide her with adequate therapy when she was a minor; and (2) the infliction of emotional distress. In addition, Plaintiff brings a

claim for damages for personal injuries against Defendant Richard Balenbin, Jr. based upon claims of sexual assault against her when she was a minor. Defendants deny liability for all claims and assert that Plaintiff's claims are barred by the applicable statute of limitations. Defendants further deny the nature and extent of Plaintiff's alleged injuries and damages, if any.

2. FRCP 26(f) Conference: Plaintiff, pro se, and Counsel of record for Defendants conducted the FRCP 26(f) conference on June 5, 2023.

3. Additional Parties: At this time, the parties do not anticipate that any additional parties will be joined. Should the parties identify any additional parties to be joined, the parties request that the deadline for joining additional parties be no earlier than August 14, 2023.

4. Consent to US Magistrate Judge:

The parties do not consent to the use of a Magistrate Judge.

5. ADR Method: The parties agree that mediation is the appropriate method for Alternative Dispute Resolution in this case.

6. ADR Deadline: The parties agree that mediation should be completed at least 120 days prior to the assigned trial date.

7. Existence of Any Related Cases: The parties are not aware of any related cases pending in this or any other jurisdiction.

8. Discovery Plan

a. Initial Disclosures. The FRCP 26(f) conference took place on June 5, 2023. The parties agreed to exchange initial disclosures no later than July 31, 2023.

1 **b. Subjects, Timing and Potential Phasing of Discovery:** Discovery will be
2 needed on liability and damages. The parties agree that discovery should not be limited,
3 focused or conducted in specific phases.

4 **c. Electronically Stored Information:** The parties agree that the Model
5 Protocol for Discovery for ESI should apply. The parties do not believe there are any
6 issues relating the preservation of discoverable information at this time.

7 **d. Privilege issues:** The parties do not anticipate any abnormal or
8 exceptional discovery issues in this case. Discovery in this case will involve the
9 production of Plaintiff's medical and counseling/therapy records. Plaintiff anticipates
10 seeking an associated protective order.

11 **e. Discovery Completion:** The parties anticipate completing discovery 120
12 days prior to the assigned trial date.

13 **f. Proposed Limitations on Discovery:** The parties do not believe that
14 discovery changes or limitations on discovery should be imposed.

15 **g. Need for Any Discovery Related Orders.** As stated above, Plaintiff
16 anticipates seeking a protective order in this case. No additional discovery related orders
17 are requested by the parties at this time.

18 **9. Bifurcation:** The parties agree that bifurcation is not necessary.

19 **10. Pretrial Statements & Pretrial Order:** The parties agree that the entry of a pretrial
20 order is appropriate.

21 **11. Phasing of Motions:** Defendants anticipate bringing dispositive motions on one
22 or more issues. The parties will cooperate on the scheduling of the hearing(s) of any
23 related motions. The parties do not believe motion practice should be phased in any
24 formal manner.
25

1 **12. Suggestions for Shortening Time or Simplifying Case:** No party believes that
2 any additional orders or suggestions are necessary with respect to shortening time or
3 simplifying the case.

4 **13. Date Ready for Trial:** This case will be ready for trial no earlier than June 14,
5 2024.

6 **14. Jury or Non-Jury:** Defendants Sally Onslow and Richard Balenbin, Jr. have
7 requested a jury trial.

8 **15. Total Number of Trial Days:** 6-7 days

9 **16. Trial Conflicts:**

10 **17. Effectuation of Service:** All defendants have been served.

11 Plaintiff Maria Zandbergen and Defendants, by and through their attorneys,
12 respectfully submit this Joint Status Report and Discovery Plan to the Court.
13

14 Dated this 20 day of June, 2023.

15 **TANDEM LAW**

16 Dated: June 21, 2023

17 By: /s/Yvonne M. Benson (per email approval)
18 Maggie Diefenbach, WSBA No. 31176
19 Yvonne M. Benson, WSBA No. 35322
20 Attorneys for Defendants Ronald Onslow
21 and Sandra Schill

22 By: 
23 Maria E. Zandbergen, Pro Se Plaintiff

24 **HENDERSON TAYLOR LAW FIRM PLLC**

25 Dated: June 21, 2023 /s/D. Jack Guthrie, WSBA #46404,
for Defendants Sally Onslow and Richard Balenbin, Jr.

By: _____
Jordan Taylor, WSBA No. 46082
Attorneys for Defendants Sally Onslow and
Richard Balenbin, Jr.